

UNITED STATES DISTRICT COURT
OF THE DISTRICT OF MASSACHUSETTS

C.A. NO. 04-11971-GAO

JANET M. BUTLER, *
Plaintiff, *
*
v. *
*
MARK S. BEATON, Individually *
and in his capacity as a Member of *
the BOARD OF SELECTMEN OF *
THE TOWN OF KINGSTON, *
PAUL M. GALLAGHER, OLAVO *
B. DEMACEDO, JOSEPH D. *
KELLEHER, RICHARD E. *
KENNEY in their capacities as *
Members of the BOARD OF *
SELECTMEN OF THE TOWN OF *
KINGSTON and TOWN *
OF KINGSTON, *
Defendants. *

AFFIDAVIT OF COUNSEL IN SUPPORT OF
MOTION FOR EXPEDITED HEARING

I, Robert W. Galvin, hereby depose and state under oath as follows:

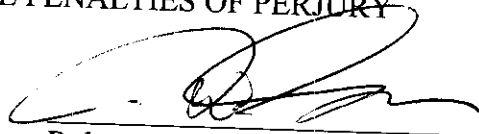
1. My name is Robert W. Galvin, Esq. I am counsel of record for the plaintiff. I am an attorney in good standing in the Commonwealth of Massachusetts and am admitted to practice in the United States District Court for the District of Massachusetts. I have personal knowledge of all of the facts set forth herein, excepting those which I have stated to be on information and belief which I also believe to be true.

2. I prepared the Motion for an Expedited Hearing and hereby affirm that the facts set forth therein are true and accurate to the best of my knowledge, information and belief.

3. In compliance with local rules, I have contacted counsel for the defendants in order to determine whether the Selectmen in Kingston would delay from appointing a successor and as of the execution of this affidavit I have not heard back from Attorney Campbell concerning the response of the Selectmen.

SIGNED UNDER THE PENALTIES OF PERJURY

Dated: September 14, 2004

A handwritten signature in black ink, appearing to read 'Robert W. Galvin', is written over a horizontal line.

Robert W. Galvin